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PTO/SB/21 (95-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)		Application Number	09/341,505	
		Filing Date	July 12, 1999	
		First Named Inventor	JACKSON, STEPHEN PHILIP	
		Group Art Unit	1653	
		Examiner Name	ROBINSON, H.	
Total Number of Pages in This Submission		13	Attorney Docket Number	MEWE-005
<b>ENCLOSURES (check all that apply)</b>				
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input checked="" type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Documents <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____		
		<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <b>1. Return Receipt Postcard</b>		
		Remarks		
<b>SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT</b>				
Firm or Individual Name	PAMELA J. SHERWOOD, Reg. No. 36.677			
Signature				
Date	January 22, 2002			

<b>CERTIFICATE OF MAILING</b>			
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: January 22, 2002.			
Typed or printed name	Susan M. Alessi		
Signature			Date January 22, 2002

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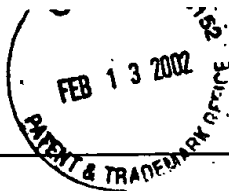
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<h1 style="margin: 0;">FEE TRANSMITTAL</h1> <h2 style="margin: 0;">for FY 2002</h2> <p style="margin: 0;"><i>Patent fees are subject to annual revision.</i></p>				<p><b>Complete if Known</b></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Application Number</td> <td>09/341,505</td> </tr> <tr> <td>Filing Date</td> <td>July 12, 1999</td> </tr> <tr> <td>First Named Inventor</td> <td>JACKSON, STEPHEN PHILIP</td> </tr> <tr> <td>Examiner Name</td> <td>ROBINSON, H.</td> </tr> <tr> <td>Group Art Unit</td> <td>1653</td> </tr> <tr> <td>Attorney Docket No.</td> <td>MEWE-005</td> </tr> </table>				Application Number	09/341,505	Filing Date	July 12, 1999	First Named Inventor	JACKSON, STEPHEN PHILIP	Examiner Name	ROBINSON, H.	Group Art Unit	1653	Attorney Docket No.	MEWE-005																																																																																																								
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<p>1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit overpayments to:</p> <p>Deposit Account Number 50-0815</p> <p>Deposit Account Name Bozicevic, Field &amp; Francis LLP</p> <p><input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17</p> <p><input type="checkbox"/> Applicant Claims small entity status. See 37 CFR 1.27</p> <p>2. <input type="checkbox"/> Payment Enclosed:</p> <p><input type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> Other</p>				<p>3. ADDITIONAL FEES</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Fee Code</th> <th>Large Entity (\$)</th> <th>Small Entity (\$)</th> <th>Fee Description</th> </tr> </thead> <tbody> <tr> <td>105</td> <td>130</td> <td>205</td> <td>65 Surcharge - late filing fee or oath</td> </tr> <tr> <td>127</td> <td>50</td> <td>227</td> <td>25 Surcharge - late provisional filing fee or cover sheet</td> </tr> <tr> <td>139</td> <td>130</td> <td>139</td> <td>130 Non-English specification</td> </tr> <tr> <td>147</td> <td>2,520</td> <td>147</td> <td>2,520 For filing a request for <i>ex parte</i> reexamination</td> </tr> <tr> <td>112</td> <td>920*</td> <td>112</td> <td>920* Requesting publication of SIR prior to Examination action</td> </tr> <tr> <td>113</td> <td>1,840*</td> <td>113</td> <td>1,840* Requesting publication of SIR after Examiner action</td> </tr> <tr> <td>115</td> <td>110</td> <td>215</td> <td>55 Extension for reply within first month</td> </tr> <tr> <td>116</td> <td>400</td> <td>216</td> <td>200 Extension for reply within second month</td> </tr> <tr> <td>117</td> <td>920</td> <td>217</td> <td>460 Extension for reply within third month</td> </tr> <tr> <td>118</td> <td>1,440</td> <td>218</td> <td>720 Extension for reply within fourth month</td> </tr> <tr> <td>128</td> <td>1,960</td> <td>228</td> <td>980 Extension for reply within fifth month</td> </tr> <tr> <td>119</td> <td>320</td> <td>219</td> <td>160 Notice of Appeal</td> </tr> <tr> <td>120</td> <td>320</td> <td>220</td> <td>160 Filing a brief in support of an appeal</td> </tr> <tr> <td>121</td> <td>280</td> <td>221</td> <td>140 Request for oral hearing</td> </tr> <tr> <td>138</td> <td>1,510</td> <td>138</td> <td>1,510 Petition to institute a public use proceeding</td> </tr> <tr> <td>140</td> <td>110</td> <td>240</td> <td>55 Petition to revive - unavoidable</td> </tr> <tr> <td>141</td> <td>1,280</td> <td>241</td> <td>640 Petition to revive - unintentional</td> </tr> <tr> <td>142</td> <td>1,280</td> <td>242</td> <td>640 Utility issue fee (or reissue)</td> </tr> <tr> <td>143</td> <td>460</td> <td>243</td> <td>230 Design issue fee</td> </tr> <tr> <td>144</td> <td>620</td> <td>244</td> <td>310 Plant issue fee</td> </tr> <tr> <td>122</td> <td>130</td> <td>122</td> <td>130 Petitions to the Commissioner</td> </tr> <tr> <td>123</td> <td>50</td> <td>123</td> <td>50 Processing fee under 37 CFR 1.17(q)</td> </tr> <tr> <td>126</td> <td>180</td> <td>126</td> <td>180 Submission of Information Disclosure Stmt</td> </tr> <tr> <td>581</td> <td>40</td> <td>581</td> <td>40 Recording each patent assignment per property (times number of properties)</td> </tr> <tr> <td>146</td> <td>740</td> <td>246</td> <td>370 For each additional invention to be examined (37 CFR § 1.129(a))</td> </tr> <tr> <td>149</td> <td>740</td> <td>249</td> <td>370 For each additional invention to be examined (37 CFR § 1.129(b))</td> </tr> <tr> <td>179</td> <td>740</td> <td>279</td> <td>370 Request for Continued Examination (RCE)</td> </tr> <tr> <td>169</td> <td>900</td> <td>169</td> <td>900 Request for expedited examination of a design application</td> </tr> </tbody> </table>				Fee Code	Large Entity (\$)	Small Entity (\$)	Fee Description	105	130	205	65 Surcharge - late filing fee or oath	127	50	227	25 Surcharge - late provisional filing fee or cover sheet	139	130	139	130 Non-English specification	147	2,520	147	2,520 For filing a request for <i>ex parte</i> reexamination	112	920*	112	920* Requesting publication of SIR prior to Examination action	113	1,840*	113	1,840* Requesting publication of SIR after Examiner action	115	110	215	55 Extension for reply within first month	116	400	216	200 Extension for reply within second month	117	920	217	460 Extension for reply within third month	118	1,440	218	720 Extension for reply within fourth month	128	1,960	228	980 Extension for reply within fifth month	119	320	219	160 Notice of Appeal	120	320	220	160 Filing a brief in support of an appeal	121	280	221	140 Request for oral hearing	138	1,510	138	1,510 Petition to institute a public use proceeding	140	110	240	55 Petition to revive - unavoidable	141	1,280	241	640 Petition to revive - unintentional	142	1,280	242	640 Utility issue fee (or reissue)	143	460	243	230 Design issue fee	144	620	244	310 Plant issue fee	122	130	122	130 Petitions to the Commissioner	123	50	123	50 Processing fee under 37 CFR 1.17(q)	126	180	126	180 Submission of Information Disclosure Stmt	581	40	581	40 Recording each patent assignment per property (times number of properties)	146	740	246	370 For each additional invention to be examined (37 CFR § 1.129(a))	149	740	249	370 For each additional invention to be examined (37 CFR § 1.129(b))	179	740	279	370 Request for Continued Examination (RCE)	169	900	169	900 Request for expedited examination of a design application
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SUBMITTED BY		Complete (if applicable)			
Name (Print/Type)	Pamela J. Sherwood	Registration No. (Attorney/Agent)	38,877	Telephone	(850) 327-3400
Signature		Date	01/22/2002		

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.			
Typed or Printed Name	Susan M. Alessi		
Signature	<i>Susan M. Alessi</i>	Date	01-22-2002

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<b>AMENDMENT UNDER 37 C.F.R. § 1.116</b>  Address to: Box AF Assistant Commissioner for Patents Washington, D.C. 20231	Attorney Docket Confirmation No.	MEWE-005 5221
	First Named Inventor	Jackson et al.
	Application Number	09/341,505
	Filing Date	July 12, 1999
	Group Art Unit	1653
	Examiner Name	H. Robinson
	Title	ASSAYS, AGENTS, THERAPY AND DIAGNOSIS RELATING TO MODULATION OF CELLULAR DNA REPAIR ACTIVITY

Sir:

This response is responsive to the Final Office Action dated September 21, 2001. In view of the amendments to the claims and the remarks put forth below, reconsideration and allowance are respectfully requested.

Please make the following amendments.

IN THE CLAIMS

1. (amended) An assay method for a compound which inhibits the binding between XRCC4 (XR-1 Cell Complementing 4) and DNA ligase IV, or XRCC4 and DNA-PK<sub>CS</sub>/Ku (DNA-dependent Protein Kinase catalytic subunit/Ku) , or XRCC4, DNA ligase IV and DNA-PK<sub>CS</sub>/Ku, the method comprising the steps of:

(i) bringing into contact XRCC4, a test compound and one or more components selected from the group consisting of DNA ligase IV and DNA-PK<sub>CS</sub>/Ku; under conditions wherein, in the absence of said test compound being an inhibitor of binding, said XRCC4 binds to said one or more components selected from the group consisting of DNA ligase IV and DNA-PK<sub>CS</sub>/Ku; and